

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA §
§
v. § No. 3:12-CR-317-L
§ No. 3:12-CR-413-L
BARRETT LANCASTER BROWN § No. 3:13-CR-030-L

AGREED PROTECTIVE ORDER

Came on this day for consideration the Government's Unopposed Motion for a Protective Order, pursuant to Fed. R. Crim. P. 16(d)(1). After due review, the Court finds that the Government has shown good cause and that the parties have agreed to the granting of a Protective Order. Therefore the Court grants the Government's Motion for a Protective Order.

1. The parties have agreed that any item provided by the government in discovery to the defense constituting or containing "Protected Material" shall not be publicized, disseminated, or retained as provided herein. As used in this Order, the phrase "Protected Material" refers to items provided by the government in discovery to the defense that were stolen or possessed and transferred without permission of the owner of the information, and especially those items containing Social Security numbers, dates of births, physical and email addresses, telephone numbers, driver's license numbers, banking or credit card information, credit card numbers, Card Verification Values (CVV), employment information, online identity information, family information, user identifications, passwords, customer lists, and contents of emails.

2. Possession of “Protected Material” is limited to the government; the defense counsel and those individuals retained as part of the defense team to assist with the representation of defendant Brown (jointly called the defense team); and authorized Mansfield Jail personnel.

3. The defense team may not share or review the “Protected Material” in any manner with any other person, except as provided herein.

4. In accordance with the policies and practices of the Mansfield Jail, the defense team may visit with defendant Brown and display and discuss the contents of items constituting or containing “Protected Materials” with defendant Brown. In the event that this Court directs the delivery of a laptop¹ to the Mansfield Jail for defendant Brown’s use to review the discovery in this case, the authorized Mansfield Jail personnel shall secure the laptop containing the “Protected Material” in the Mansfield Jail Property Room when not being used by defendant Brown. Thus, the Mansfield Jail personnel having access to the Property Room may possess a laptop containing “Protected Material” to accommodate the above referenced discovery.

5. Defendant Brown is ordered not to publicize or disseminate any of the “Protected Material.”

6. The defense team and the government may display and discuss the contents of items constituting or containing “Protected Material” with prospective witnesses, as long as the defense team and the government do not provide a copy of the items constituting or

¹ This order addresses the issue of the “Protected Material.” It does not address the issue of or authorize the provision of a laptop.

containing “Protected Material” to the prospective witnesses. A member of the defense team and the government shall admonish any such prospective witness that he/she is subject to the provisions of this Order and shall not publicize or disseminate the “Protected Material” as a result of this Order. The defense team shall keep any “Protected Material” secured whenever the “Protected Material” is not being used in furtherance of their work in the above captioned cases.

7. Possession of the “Protected Material” is limited to members of the defense team, defendant Brown, and the authorized Mansfield Jail personnel, and the government, as described above.

8. Upon completion of the criminal proceeding in the above captioned cases, the defense team and the Mansfield Jail personnel shall return any items constituting or containing the “Protected Material” to the Government.

9. This Order may be modified by Order of the Court if circumstances warrant the modification and if the movant establishes good cause.

10. Violation of this Protective Order shall subject the violator to contempt of Court, or any monetary or other sanctions deemed appropriate by the Court.

IT IS SO ORDERED.

DATED this ____ day of June 2013.

SAM A. LINDSAY
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF TEXAS